

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

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WATANABE ING & KOMEIJI LLP
A Limited Liability Law Partnership

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JOHN T. KOMEIJI #2498-0
GREGG M. USHIRODA #5868-0
KAREN Y. ARIKAWA #7684-0
23rd Floor, First Hawaiian Center
999 Bishop Street
Honolulu, Hawaii 96813
Telephone No. (808) 544-8300

R. HIGA
CLERK

Attorneys for Defendant
DELOITTE & TOUCHE LLP

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

KELLEY WOODRUFF, M.D. and)	CIVIL NO. 02-1-0090-01 (BIA)
HAWAII CHILDREN'S BLOOD AND)	(Other Civil Action)
CANCER GROUP,)	
Plaintiffs,)	ORDER DENYING PLAINTIFFS' MOTION
)	FOR HRCP RULE 54(b)
vs.)	CERTIFICATION OF ORDER GRANTING
)	DEFENDANT DELOITTE & TOUCHE
HAWAI'I PACIFIC HEALTH;)	LLP'S MOTION FOR SUMMARY
KAPI'OLANI MEDICAL)	JUDGMENT AS TO COUNT IX, FILED
SPECIALISTS; KAPI'OLANI)	JANUARY 19, 2007, OR FOR LEAVE
MEDICAL CENTER FOR WOMEN and)	TO FILE INTERLOCUTORY APPEAL
CHILDREN; ROGER DRUE; FRANCES)	
A. HALLONQUIST; NEAL WINN,)	
M.D.; SHERREL HAMMAR, M.D.;)	
DELOITTE & TOUCHE LLP; DENNIS)	
M. WARREN, ESQ.; JOHN DOES 1-)	
99; JANE DOES 1-99; DOE)	
ENTITIES 1-20; AND DOE)	
GOVERNMENTAL UNITS 1-10,)	
Defendants.)	
)	
)	

Hearing:
 Date: February 27, 2007
 Time: 9:15 a.m.
 Judge: Hon. Bert I. Ayabe
 Trial: October 1, 2007

ORDER DENYING PLAINTIFFS' MOTION FOR HRCP RULE 54(b)
CERTIFICATION OF ORDER GRANTING DEFENDANT DELOITTE & TOUCHE LLP'S
MOTION FOR SUMMARY JUDGMENT AS TO COUNT IX, FILED
JANUARY 19, 2007, OR FOR LEAVE TO FILE INTERLOCUTORY APPEAL

Plaintiffs KELLEY WOODRUFF, M.D. and HAWAII CHILDREN'S BLOOD AND CANCER GROUP (collectively referred to as "Plaintiffs") having filed their Motion For HRCP Rule 54(b) Certification Of Order Granting Defendant Deloitte & Touche LLP's Motion For Summary Judgment As To Count IX, Filed January 19, 2007, Or For Leave To File Interlocutory Appeal ("Motion") on February 12, 2007; said Motion having been set for hearing before the Honorable Bert I. Ayabe on February 27, 2007 at 9:15 a.m.;

John T. Komeiji, Esq. and Karen Y. Arikawa, Esq. having appeared on behalf of Defendant DELOITTE & TOUCHE LLP; Kenneth S. Robbins, Esq. and John-Anderson L. Meyer, Esq. having appeared on behalf of Defendants HAWAII PACIFIC HEALTH, KAPIOLANI MEDICAL SPECIALISTS, KAPIOLANI MEDICAL CENTER FOR WOMEN AND CHILDREN, ROGER DRUE, FRANCES A. HALLONQUIST, NEAL WINN, M.D., SHERREL HAMMAR, M.D.; Michael J. Van Dyke, Esq. having appeared on behalf of Defendant DENNIS M. WARREN, ESQ.; and Rafael G. del Castillo, Esq. and Arleen D. Jouxson-Meyers, Esq. having appeared on behalf of Plaintiffs;

the Court having reviewed and considered the Motion and all submissions and arguments related thereto, and being duly

advised in the premises, good cause appearing therefor, hereby finds as follows:

(1) that the Court does not favor piecemeal appeals;

and

(2) that Plaintiffs failed to show how the granting of the interlocutory appeal would lead to the speedy termination of the litigation or that a 54(b) certification was proper.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motion is DENIED.

DATED: Honolulu, Hawai'i MAR 22 2007

BERT I. AYABE



JUDGE OF THE ABOVE-FILED COURT

APPROVED AS TO FORM:

Arleen D. Jouxon

ARLEEN D. JOUXSON-MEYERS, ESQ.

RAFAEL G. DEL CASTILLO, ESQ.

Attorneys for Plaintiffs

KELLEY WOODRUFF, M.D. and HAWAII

CHILDREN'S BLOOD AND CANCER GROUP

Kelley Woodruff, M.D., et al., Plaintiffs vs. Hawaii Pacific Health, et al., Defendants; Civil No. 02-1-0090-01 (BIA); ORDER DENYING PLAINTIFFS' MOTION FOR HRCP RULE 54(b) CERTIFICATION OF ORDER GRANTING DEFENDANT DELOITTE & TOUCHE LLP'S MOTION FOR SUMMARY JUDGMENT AS TO COUNT IX, FILED JANUARY 19, 2007, OR FOR LEAVE TO FILE INTERLOCUTORY APPEAL

APPROVED AS TO FORM:

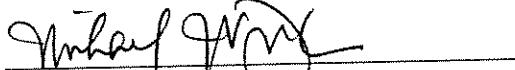


KENNETH S. ROBBINS, ESQ.

JOHN-ANDERSON L. MEYER, ESQ.

Attorney for Defendants HAWAII PACIFIC HEALTH,
KAPIOLANI MEDICAL SPECIALISTS, KAPIOLANI
MEDICAL CENTER FOR WOMEN AND CHILDREN, ROGER DRUE,
FRANCES A. HALLONQUIST, NEAL WINN, M.D., and
SHERREL HAMMAR, M.D.

APPROVED AS TO FORM:



MICHAEL J. VAN DYKE, ESQ.

Attorneys for Defendant
DENNIS M. WARREN, ESQ.

Kelley Woodruff, M.D., et al., Plaintiffs vs. Hawaii Pacific Health, et al., Defendants; Civil No. 02-1-0090-01 (BIA); ORDER DENYING PLAINTIFFS' MOTION FOR HRCP RULE 54(b) CERTIFICATION OF ORDER GRANTING DEFENDANT DELOITTE & TOUCHE LLP'S MOTION FOR SUMMARY JUDGMENT AS TO COUNT IX, FILED JANUARY 19, 2007, OR FOR LEAVE TO FILE INTERLOCUTORY APPEAL